



COMMONWEALTH OF MASSACHUSETTS
EXECUTIVE OFFICE OF ENERGY & ENVIRONMENTAL AFFAIRS
DEPARTMENT OF ENVIRONMENTAL PROTECTION
Central Regional Office, 627 Main Street, Worcester, MA 01608

DEVAL L. PATRICK
Governor

TIMOTHY P. MURRAY
Lieutenant Governor

IAN A. BOWLES
Secretary

LAURIE BURT
Commissioner

Dana Pelletier, General Manager
Newark America
100 Newark Way
Fitchburg, MA 01420

RE: Fitchburg
Central Region
BWP IW 38 – IPPLG
Final Permit for Industrial Sewer User
M.G.L. c. 21, Section 43
314 CMR 7.00 and 2.00
Transmittal No. W205484
Facility ID# 343837

Issuance date: *April 17, 2008*

Dear Mr. Pelletier:

Enclosed is the Permit for Industrial Sewer User, BWP IW 38, for Newark America's facility located at 100 Newark Way in Fitchburg, Massachusetts. The permit is issued pursuant to the Massachusetts Clean Water Act (the "State Act"), M.G.L. c. 21, §§ 26-53, as amended, and the regulations 314 CMR 7.00 and 314 CMR 2.00 promulgated thereunder. The enclosed document, including Attachments 1. through 3. incorporated therein, constitutes the Industrial Sewer User permit.

MassDEP received no comments objecting to the issuance or terms of the permit during the public comment period ending March 29, 2008. Therefore, in accordance with 314 CMR 2.08, the permit is effective upon the issuance date noted above. Pursuant to 314 CMR 7.10(3), the permit shall remain in effect for a period of 5 years. Please carefully review the enclosed permit, paying particular attention to the Special Conditions in Attachment 1. Please note the changes MassDEP made to the Special Conditions from the Draft Permit, as well as to Question C.13b.

This Decision is an action of MassDEP. Any person aggrieved by this action may file a request for an adjudicatory hearing. The request must be made in writing and be postmarked within thirty (30) days of the date of issuance of this Decision. Under 310 CMR 1.01(6)(b), the request must state clearly and concisely the facts, which are the grounds for the request, and the relief sought. Additionally, the request must state why the Decision is not consistent with applicable laws and regulations. The hearing request along with a valid check payable to Commonwealth of Massachusetts in the amount of one hundred dollars (\$100.00) must be mailed to: Commonwealth of Massachusetts, MassDEP, P.O. Box 4062, Boston, MA 02211.



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The request will be dismissed if the filing fee is not paid, unless the appellant is exempt or granted a waiver as described below. The filing fee is not required if the appellant is a city or town (or municipal agency), county, or district of the Commonwealth of Massachusetts, or a municipal housing authority. MassDEP may waive the adjudicatory hearing-filing fee for a person who shows that paying the fee will create an undue financial hardship. A person seeking a waiver must file, together with the hearing request as provided above, an affidavit setting forth the facts believed to support the claim of undue financial hardship.

Please be advised that pursuant to the provisions of MassDEP's regulations at 310 CMR 4.03(2), effective July 13, 2007, an annual fee, based on MassDEP's fiscal year, will be billed to Newark America to cover the cost of compliance activities performed by MassDEP, including report reviews, inspections and coordination activities with the local municipal wastewater officials into whose system Newark America's facility discharges its wastewater. At the current time that annual fee is one hundred seventy-five dollars (\$175.00).

Should you have any questions concerning this matter, please do not hesitate to contact Giles Steele-Perkins at (508) 767-2767.

Very truly yours,

Giles Steele-Perkins
Environmental Analyst
Bureau of Waste Prevention

John F. Kronopolus
Section Chief
Bureau of Waste Prevention

enclosure

cc: William Doerr, The Newark Group, Baltimore, Ohio
City of Fitchburg, Wastewater Treatment Facilities Commission
ecc: John Reinhardt, Mingyuan Pan, Thomas Higgins, MassDEP/Boston